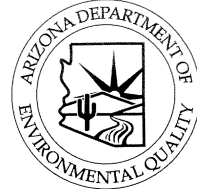


Janet Napolitano  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007  
(602) 771-2300 • [www.adeq.state.az.us](http://www.adeq.state.az.us)



Stephen A. Owens  
Director

January 20, 2006

Graham Alex Turner, Chairman  
Governor's Regulatory Review Council  
Arizona Department of Administration  
100 N. 15<sup>th</sup> Avenue, Suite 402  
Phoenix, AZ 85007

Re: Submission of Notice of Final Rulemaking  
18 A.A.C. 12 - Department of Environmental Quality - Underground Storage Tanks

Dear Mr. Turner:

Enclosed is a final rule package for inclusion on the Council agenda. The rule package has been approved by the Arizona Department of Environmental Quality, subject to approval by the Governor's Regulatory Review Council pursuant to A.R.S. § 41-1052. The following information is provided for your use in reviewing the rule package:

I. Dates of Notices Published in the Arizona Register

1. A Notice of Docket Opening was published in the Arizona Administrative Register on July 15, 2005.
2. A Notice of Proposed Rulemaking was published in the Arizona Administrative Register on August 12, 2005. The Preamble to the Notice of Proposed Rulemaking contained information on the time, place and nature of the oral proceedings, which were held on September 21, 2005, in Phoenix, and on September 22, 2005, in Tucson.

II. Definitions, fees, five-year-review, studies, close of record, effective date

1. Definitions of terms used in the rule are attached.
2. The rulemaking does not contain a fee increase or new fees.
3. The rulemaking is related to a five-year review report approved by Council at the September 28, 2005 meeting.
4. The preamble discloses a reference to any study relevant to the rule that the agency reviewed and either did or did not rely on in the agency's evaluation of or justification for the rule.
5. The public record closed on September 30, 2005.
6. The Department is not requesting an immediate effective date.

Northern Regional Office  
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004  
(928) 779-0313

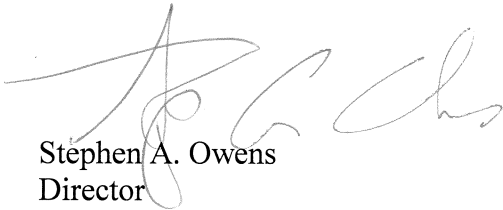
Southern Regional Office  
400 West Congress Street • Suite 433 • Tucson, AZ 85701  
(520) 628-6733

III. List of Documents Enclosed

1. Notice of Final Rulemaking, including the preamble, table of contents, and rule text;
2. Economic, small business and consumer impact statement;
3. Copy of existing rule not shown as part of the revised text;
4. Copy of authorizing statutes;
5. Copy of definitions of terms used in the rule; and
6. Copy of written comments concerning the proposed rule.

In transmitting the accompanying rule package, I hereby certify that to the best of my knowledge, the referenced rule action is within the power of the Arizona Department of Environmental Quality and any legislative standards, and was done in compliance with all appropriate procedures. Please do not hesitate to call Tara Rosie, manager of the State Assurance Fund Section of the Tank Programs Division, at (602) 771-4725 if you have any questions concerning this rule package.

Sincerely,

A handwritten signature in dark ink, appearing to read "S. A. Owens", is written over the printed name and title.

Stephen A. Owens  
Director

Enclosures